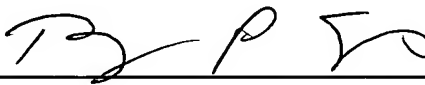




11-04-03

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AMENDMENT TRANSMITTAL LETTER					Docket Number (Optional) 5007117-1																																											
Application Number 10/061,638		Filing Date January 31, 2002		Examiner Cohen, Amy R.		Group Art Unit 2859																																										
Invention Title: THREE DIMENSIONAL SQUARE TOOL																																																
<b>TO THE COMMISSIONER OF PATENTS AND TRADEMARKS</b> Transmitted herewith is an amendment in the above-identified application. <input type="checkbox"/> Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted. <input type="checkbox"/> A verified statement to establish Small Entity status under 37 CFR 1.27 is enclosed. <input checked="" type="checkbox"/> No additional fee is required. <input type="checkbox"/> The fee has been calculated as shown below:																																																
<b>CLAIMS AS AMENDED</b>																																																
<table border="1"><thead><tr><th>(1)</th><th>(2)</th><th>(3)</th><th></th><th></th><th></th><th></th></tr><tr><th></th><th>CLAIMS REMAINING AFTER AMENDMENT</th><th></th><th>HIGHEST NUMBER PREVIOUSLY PAID FOR</th><th>PRESENT NUMBER EXTRA</th><th>RATE</th><th>FEE</th></tr></thead><tbody><tr><td>TOTAL CLAIMS</td><td>7</td><td>Minus</td><td>20</td><td>0</td><td>\$18.00</td><td>\$0.00</td></tr><tr><td>INDEPENDENT CLAIMS</td><td>1</td><td>Minus</td><td>3</td><td>0</td><td>\$86.00</td><td>\$0.00</td></tr><tr><td>MULTIPLE DEPENDENT CLAIM ADDED</td><td colspan="4"></td><td>\$</td><td></td></tr><tr><td colspan="5"></td><td><b>TOTAL</b></td><td>\$0.00</td></tr></tbody></table>							(1)	(2)	(3)						CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT NUMBER EXTRA	RATE	FEE	TOTAL CLAIMS	7	Minus	20	0	\$18.00	\$0.00	INDEPENDENT CLAIMS	1	Minus	3	0	\$86.00	\$0.00	MULTIPLE DEPENDENT CLAIM ADDED					\$							<b>TOTAL</b>	\$0.00
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MULTIPLE DEPENDENT CLAIM ADDED					\$																																											
					<b>TOTAL</b>	\$0.00																																										
If applicant has small entity status under 37 CFR 1.9 and 1.27, then divide total fee by 2, and enter amount here. SMALL ENTITY TOTAL						\$																																										
<p>* If the entry in column 1 is less than the entry in column 2, write "0" in column 3 ** If the highest number previously paid for IN THIS SPACE is less than 20, enter "20". *** If the highest number previously paid for IN THIS SPACE is less than 3, enter "3". The "highest number previously paid for" (total or independent) is the highest number found in the appropriate box in column 1.</p> <p><input type="checkbox"/> Please charge Deposit Account Number _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed.</p> <p><input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account Number <u>500354</u>. A duplicate copy of this sheet is enclosed.</p> <p><input checked="" type="checkbox"/> Any additional filing fees required under 37 CFR 1.16.</p> <p><input type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.</p>																																																
Date November 3, 2003		Signature 																																														

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WA 729367.1



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Date:	November 3, 2003
Serial No.:	10/061,638
Filing Date:	January 31, 2002
Applicant:	JEVONS, et al.
Title:	THREE DIMENSIONAL SQUARE TOOL
Examiner:	Amy R. Cohen
Art Unit:	2859
Telephone:	(703) 305-4972
Facsimile:	(703) 308-7722

Commissioner for Patents  
Post Office Box 1450  
Alexandria, Virginia 22313-1450

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Sir:

**AMENDMENT AND REMARKS**

This Paper responds to the communication from the Examiner mailed August 1, 2003. The Applicant thanks the Examiner for reconsideration of the rejections made in the Office Action mailed April 25, 2003.

Please enter the following amendment to the above-identified application.  
Reexamination and reconsideration of the application is respectfully requested.

The Applicant's response to the Office Action mailed August 1, 2003, was due on or before Saturday November 1, 2003 to avoid extension fees. As this date was a

Saturday and the Office was closed, the applicant believes this response to be timely

filed by mailing on Monday November 3, 2003 under 37 C.F.R. § 1.8(a).

### **ISSUES RAISED IN THE OFFICE ACTION**

In the Office Action the Examiner indicated that Claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by Guerin (U.S. Patent No. 5,720,114); Claim 2 was rejected under 35 U.S.C. § 103 as being obvious over Guerin in view of Ponich (U.S. Patent No. 3,276,128); and Claims 8-12 were rejected under 35 U.S.C. § 103 as being obvious over Guerin in view of Thiel (U.S. Patent No. 3,367,224). The Examiner has objected to Claim 1, line 4 as requiring proper antecedent basis for the phrase "said leg ends".

The applicant offers the following amendment and remarks in response and by which, the applicant believes, allowable subject matter is achieved.